

**BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: April 20, 2005

Division: County Attorney

Bulk Item: Yes XX No

Staff Contact Person: Pedro Mercado

AGENDA ITEM WORDING: Approval of settlement agreements in code enforcement lien in Monroe County V. Itnor Corp.

ITEM BACKGROUND: Waters Edge Trailer Park which is owned by the Itnor Corp. rented a lot to Jean M. Louis. Louis in turn owned the trailer which was on the lot. Louis, and the Itnor Corporation as property owner, were cited by Code Enforcement for enclosing a porch without a permit. The violator, Louis, failed to bring the property into compliance by the date set by the special magistrate and the special magistrate imposed a fine in the amount of \$100 beginning March 25, 2004. Itnor Corporation refused to give Louis permission to seek a permit for the enclosure as Itnor was seeking to evict Louis. As of March 21, 2005 the fines and costs total \$36,300. During the second week of March, 2005, Carolee McReynolds, the Vice-President of Itnor Corporation contacted the County to inform the County that Itnor had obtained possession of the Louis trailer and it is Itnor's intent to demolish the trailer. After consultation with Rhonda Norman, Code Enforcement Director, it was determined that it would be appropriate to settle this case for \$3,700.

PREVIOUS RELEVANT BOCC ACTION: The BOCC granted the County Attorney's Office authority to institute foreclosure proceedings or enter into settlement negotiations at the March 16, 2005 meeting.

CONTRACT/AGREEMENT CHANGES:
N/A

STAFF RECOMMENDATIONS:
Approval

TOTAL COST: N/A

BUDGETED: Yes No

COST TO COUNTY: N/A


SOURCE OF FUNDS: N/A

REVENUE PRODUCING: Yes XX No

AMOUNT PER MONTH **Year**

APPROVED BY: County Atty XX OMB/Purchasing Risk Management

DIVISION DIRECTOR APPROVAL:

 03/28/05
JOHN R. COLLINS, COUNTY ATTORNEY

DOCUMENTATION: Included

Not Required XX

DISPOSITION:
Revised 2/05

AGENDA ITEM #

**BEFORE THE CODE ENFORCEMENT SPECIAL MASTER
OF MONROE COUNTY, FLORIDA
The Honorable J. Jefferson Overby, Presiding**

MONROE COUNTY, FLORIDA

Petitioner,

vs.

CASE NO.: CE03050208

THE ITNOR CORPORATION

Respondent(s)

_____ /

SETTLEMENT AGREEMENT

The Petitioner Board of County Commissioners of Monroe County and The Itnor Corporation, Respondent(s), hereby agree to settle the code enforcement lien imposed in the above-referenced case by the Special Master against property owned by the Respondent(s) as follows:

1. The parties agree to settle the code enforcement lien for \$3,700.00.
2. Respondent Itnor Corporation agrees to demolish the enclosed porch which is the subject of this violation by April 19, 2005.
3. The property in question has a legal description of Watersedge Trailer Park, Stock Island, Monroe County, Florida (RE#:00124540-000000)
4. Upon approval of this agreement by the Board of County Commissioners, the Respondent(s) shall remit a check in the amount of \$3,700.00 made payable to the Board of County Commissioners.
5. Once the aforementioned check has cleared, the County will issue to the Respondent(s) a release and satisfaction of said lien

for filing by the Respondent(s) in the Official Records of Monroe County.

6. The County will file a copy of the release and satisfaction in the official Code Enforcement file.
7. By entering into this agreement, each party agrees to waive any and all claims that it could have raised and/or potential claims that it might have been able to raise as a result of the above-captioned code enforcement case.
8. Both parties warrant that they have had an opportunity to consult with counsel before entering into this agreement.
9. Each party agrees to bear its own costs and attorney's fees other than as specified in this agreement.

ATTEST:

DANNY L. KOLHAGE
CLERK:

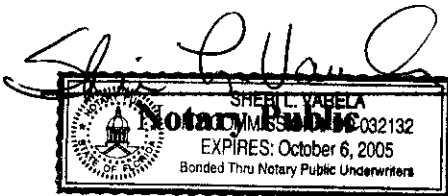
BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY

By: _____
Deputy Clerk

By: _____
Dixie Spehar, Mayor

Dated _____

Paul M. [Signature], Respondent



By: _____ 3/21/05
(date)

This document was prepared and approved as to form by:

Pedro J. Mercado
Pedro J. Mercado, Esq.
Assistant County Attorney
Florida Bar No.: 0084050